

BOARD OF TRUSTEES
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5200 Civic Center Drive
Waterford, Michigan 48329-3773
Telephone: (248) 674-6238 Fax: (248) 674-4097
www.waterfordmi.gov

**DEVELOPMENT SERVICES
DEPARTMENT**
Rob Merinsky, P.E.
Director
Brent A. Gibson
Superintendent of Building
Division
Jeffrey M. Polkowski AICP
Superintendent of Planning &
Zoning Division

MEMORANDUM

Date: December 29, 2020

To: Honorable Township Board Members

From: Jeffrey Polkowski, Superintendent of Planning and Zoning

RE: Rezoning Case No. 2021-Z-004 – Rezone PID 13-04-151-002

Location: East side of Airport Rd., south of Andersonville Rd.

Applicant: Nancy Overfield, 6575 Ridgewood Rd. Clarkston, MI 48346

Current Zoning: C-1, Neighborhood Business
Proposed Zoning: O-1, Local Office

Master Plan: Local Business

The applicant is seeking to rezone this property from commercial to office with the intent to open a funeral home within the site. Though built as a single unit building, the structure has since been subdivided into 3 units with a variety of retail and service operators.

The purpose of this request is to permit a use that is not allowed in either C-1 or C-2 but is permitted by right in C-3, C-4, and O-2, and is a special approval use within the O-1 district. As with much of the Zoning Ordinance, this distinction is driven primarily by property land area as a concern over the suitability of a given use on limit land area.

While the intent to operate as a Funeral Home Establishment has been expressed by the applicant, it is not specifically tied to this application. If the Board of Trustees approves this rezoning, the Planning Commission is expected to review a Special Approval for a funeral home.

Master Plan Designation

The Master Plan indicates that these parcels are designated as Local Business: The original intent for local business land use designations included serving the daily commercial needs of residents within walking distance of the use itself. This land use has been forced to accommodate larger numbers of users based on the increase in population and the change in the character of the commercial market over the last 50 years. Issues such as the inability of pedestrians to gain access to these uses because of the presence of

**With us there are no
boundaries**

barriers such as traffic and lack of nonmotorized infrastructure, the increased emphasis placed on the automobile, and the market for small specialty stores being replaced by the one-stop shopping centers and corporations, have created the need for these small commercial centers to accommodate larger uses, in comparison to previously developed sites, and increased level of service and amenities.

An example of the deficiency of this designation is probably best demonstrated by the prohibition of small sit-down restaurants within this district but allow for destination-type uses such as banks, beauty parlors/barber shops, and tailor shops.

It is important to consider the scale of a development proposed within the local business category. The developments that should be encouraged within the local business designation should incorporate smaller parcels than larger more intense developments, while primarily providing a level of daily service to the immediate residential area, with occasional service to other residential areas within the Township.

Planning Commission Recommendation and Findings

The Planning Commission reviewed this proposed Rezoning at the regularly scheduled meeting on December 15, 2020 and resolved unanimously, to forward a favorable recommendation to the Township Board.

Motions

Based upon the Planning Commission's favorable recommendation at the December 15, 2020 regular meeting for this rezoning case, should the Board want to consider adopting the requested rezoning to O-1, Local Office, the appropriate motion would be to introduce the attached Ordinance and schedule it for possible adoption at the January 25, 2021 meeting.

However, if the Board does not want to adopt the requested rezoning, the appropriate motion would be to not introduce the Ordinance and deny the rezoning.

Staff will be available at Monday's meeting for any questions on this case. However, if you have any questions in advance of the meeting, please contact this office.

Planning & Zoning Department

REZONING REVIEW

December 15, 2020

Application Number	PZ 20-11-04	Action Requested	Rezoning
		Staff Recommendation	Approval
Request	Rezone from C-1, Neighborhood Business to O-1, Local Office		
Project Name	No project name assigned		
Proposed Use(s)	Funeral Home Establishment		
Address	4194, 4196, 4198 Airport Rd.		
Parcel Number	13-04-151-002		
Owner	Nancy Overfield 6575 Ridgewood Rd Clarkston, MI 48346	Applicant	Mathew Smith 573 Eastlake Trail Oxford, MI 48371
Property Information			
General Location	East side of Airport Rd., south of Andersonville Rd. Part of the Supervisor's Plat No. 19		
Current Zoning	C-1, Neighborhood Business		
Proposed Zoning	O-1, Local Office		
Property Size	0.50 acres		
Master Plan Designation	<p><u>Local Business</u>: The original intent for local business land use designations included serving the daily commercial needs of residents within walking distance of the use itself. This land use has been forced to accommodate larger numbers of users based on the increase in population and the change in the character of the commercial market over the last 50 years. Issues such as the inability of pedestrians to gain access to these uses because of the presence of barriers such as traffic and lack of nonmotorized infrastructure, the increased emphasis placed on the automobile, and the market for small specialty stores being replaced by the one-stop shopping centers and corporations, have created the need for these small commercial centers to accommodate larger uses, in comparison to previously developed sites, and increased level of service and amenities.</p> <p>An example of the deficiency of this designation is probably best demonstrated by the prohibition of small sit-down restaurants within this district but allow for destination-type uses such as banks, beauty parlors/barber shops, and tailor shops.</p> <p>It is important to consider the scale of a development proposed within the local business category. The developments that should be encouraged within the local business designation should incorporate smaller parcels than larger more intense developments, while primarily providing a level of daily service to the immediate residential area, with occasional service to other residential areas within the Township.</p>		
Frontage	95 ft. on the E side of Airport Rd.		
Current Use	An existing 3 unit plaza is located here		
Site Plan / SLU History	SP# 0030 (1974 and expanded in 1984) ZBA #713 (Indicated on site plan – no record found)		
Surrounding Development			
North	C-1, Neighborhood Business		
East & South	R-1B, Single-Family Residential		
West	(Across Airport Rd) R-1A, Single Family Residential (L V Van Syckle Sub)		

December 15, 2020

Background Analysis

The applicant is seeking to rezone this property from commercial to office with the intent to open a funeral home within the site. Though built as a single unit building, the structure has since been subdivided into 3 units with a variety of retail and service operators.

The purpose of this request is to permit a use that is not allowed in either C-1 or C-2 but is permitted by right in C-3, C-4 and O-2, and is a special approval use within the O-1 district. As with much of the Zoning Ordinance, this distinction is driven primarily by property land area as a concern over the suitability of a given use on limit land area.

While the intent to operate as a Funeral Home Establishment has been expressed by the applicant, it is not specifically tied to this application and would be reviewed at a later date as a Special Approval Use per Section 3-603.4.F.

Master Plan Conformity

The original intent for Local Business classification was to provide for the local commercial needs of the population within walking distance of the site. Due to development trends and patterns, the Master Plan acknowledges the need for these sites to accommodate larger and more diverse uses within the areas. The focus is still primarily providing for the commercial and service needs of the local community.

Considering the uses permitted within the O-1, Local Office zoning district, this is consistent with the guidance provided by the Local Business Master Plan designation

Planning Commission Approval Recommendation Guidelines

The following is a summary of Section 4-009.3 of the Zoning Ordinance and the Planning Commission's approval recommendation guidelines that have been established for rezoning application requests:

Where the purpose and effect of the proposed amendment is to change the zoning classification of a particular property, the Planning Commission shall make its recommendations to the Township Board based upon the evidence presented to it in each specific case with respect to the following matters:

- A. The requested zoning change is consistent with the adopted Master Plan, as amended.

The subject parcel is defined as Local Business in the Master Plan. This request is consistent with the long term vision of the Master Plan.

G:\CPD\Administrative\Planning Commission\Rezoning and Special Approval Reviews\Rezon-Special Approval Temp Working\2020\20-11-04 - Matt Smith - Rezone C-1 to O-1\20-11-04_Staff Report.docx

December 15, 2020

- B. The requested zoning change is consistent with existing uses and zoning classifications of properties within the general area of the subject zoning lot.

Office styled uses generally have a lesser impact on the surrounding properties than commercial properties and generally operate within time frames and activities that are more suited to the adjacent residential properties.

- C. The subject zoning lot's physical suitability to provide all dimensional and site requirements for the range of uses permitted under the proposed zoning classification.

The area of the subject property is approximately 0.50 acres. The O-1, Local Office district requires a minimum of 15,000 sqft. of land area and 70 ft. of frontage. The subject parcel has 21, 780 sqft. of land area and 95 ft. of frontage. The property is compatible with the O-1, zoning requirements

- D. The trend of development in the general area of the subject zoning lot is consistent with the requested zoning change.

The trend of development in the area is heavily single-family residential with an adjacent commercial lot. The requested zoning would not be incompatible with the surrounding uses.

- E. The Township and other public agencies possess the capacity to provide all utility and public services that would be required for the range of uses permitted under the proposed zoning classification.

The Township and all other utilities have the capacity to service the potential uses within the O-1 zoning district.

- F. The requested zoning change and the resulting range of uses permitted under the proposed zoning classification will not result in any significant environmental impacts.

The resulting range of uses would result in a reduced and less intense range of uses that currently exist for the subject property. Any significant environmental impact due to the newly proposed zoning classification is not anticipated.

- G. Whether the amendment will be detrimental to the public interest.

This amendment is not anticipated to be detrimental to public interest.

December 15, 2020

Recommendation and Planning Commission Action

This proposal would be a reduction in the intensity of most uses from the current zoning classification. Any potentially concerning uses require Special Approval Use review. Staff is supportive of this proposal and does not have any significant concerns.

Following the required public hearing, the Planning Commission shall provide a recommendation to the Township Board on the rezoning request. In making this recommendation, the Planning Commission shall consider the approval recommendation guidelines referenced above. Staff has attached a motion template for your use in formulating your recommendation.

Upon your review, if you have any questions or require additional information prior to Tuesday's meeting, please contact this office.

**MOTION TEMPLATE FOR PLANNING COMMISSION CASE NO. 20-11-04, Proposed
ZONING AMENDMENT TO REZONE:**

C-1, Neighborhood Business to O-1, Local Office Zoning District

Motion

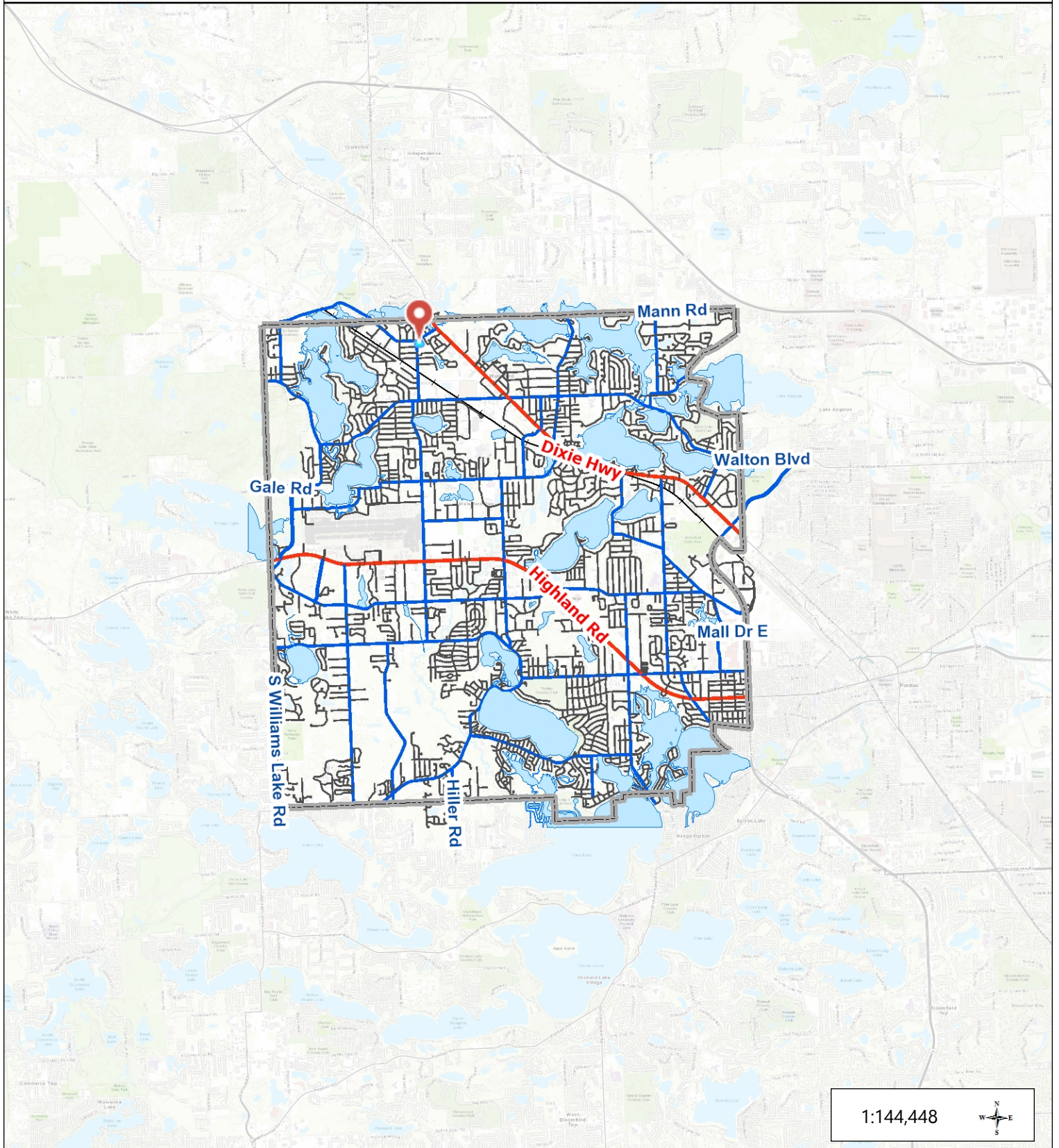
I move to forward a **favorable / unfavorable [Strike One]** recommendation in Case No. 20-11-04 on to the Township Board, to rezone the subject property of this application from C-1, Neighborhood Business to O-1, Local Office based on the following findings and conclusions under the Ordinance approval recommendation guidelines which are based on assessment of the information and statements presented in this case by or for the Township Staff, Applicant, and members of the public.

Findings:

- A. The requested zoning change **is/is not [Strike One]** consistent with the adopted Master Plan as amended.
- B. The requested zoning change **is/is not [Strike One]** is consistent with existing uses and zoning classifications of properties within the general area of the subject zoning lot.
- C. The subject zoning lot **is/is not [Strike One]** physically suitable to provide all dimensional and site requirements for the range of uses permitted under the proposed zoning classification.
- D. The trend of development in the general area of the subject zoning lot **is/is not [Strike One]** consistent with the requested zoning change.
- E. The Township and other public agencies **do/do not [Strike One]** possess the capacity to provide all utility and public safety services that would be required for the range of land uses permitted under the proposed zoning classification.
- F. The requested zoning change and the resulting range of uses permitted under the proposed zoning classification **will/will not [Strike One]** result in any significant environmental impacts.
- G. The proposed zoning amendment **will/will not [Strike One]** be detrimental to the public interest.



PZ 20-11-04 Smith Rezoning Location Map



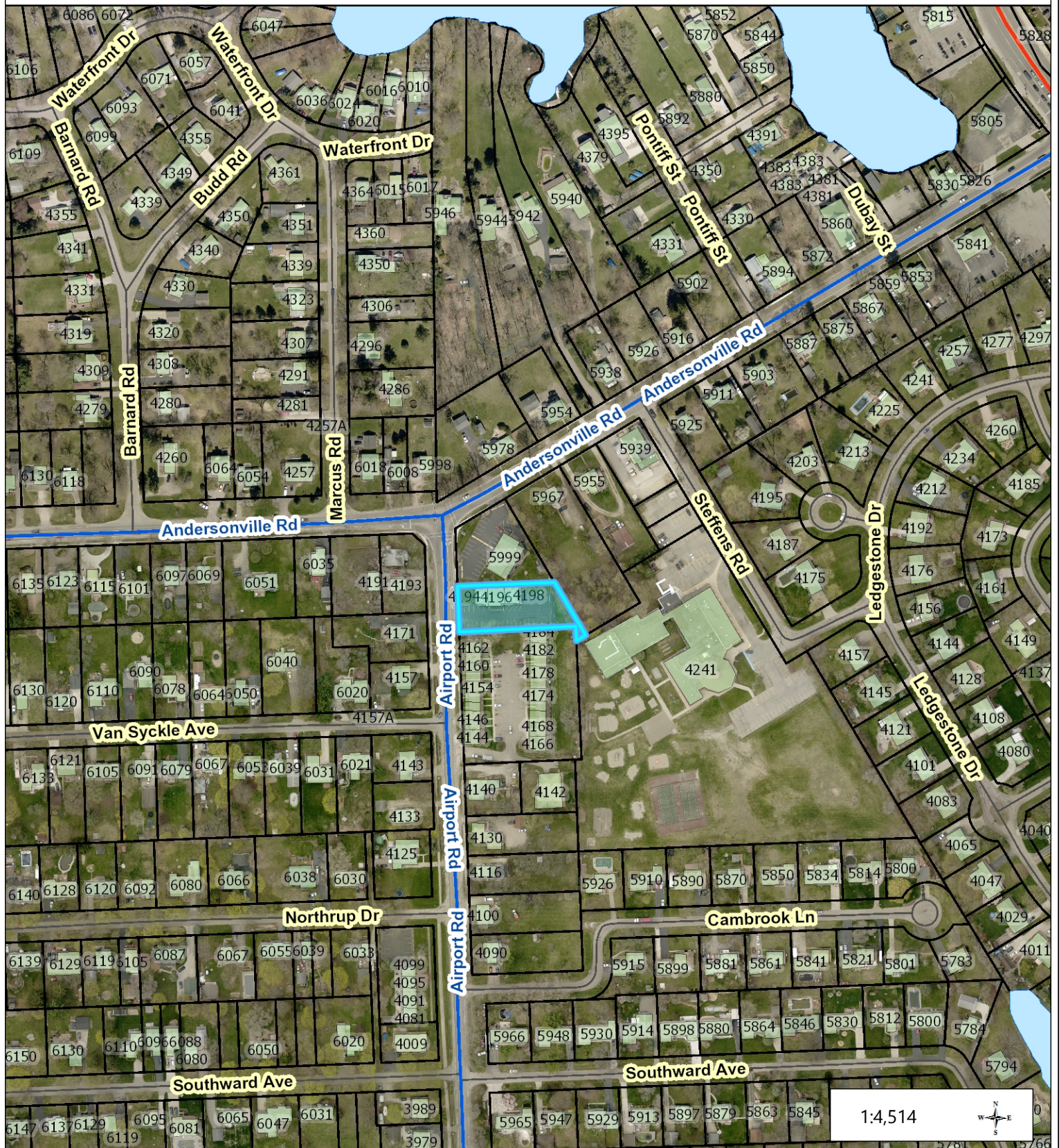
24,074.6 0 12,037.30 24,074.6 Feet

SOURCES: The Charters Township of Waterford and Oakland County, MI.
Oakland County parcel data, Updated weekly.

DISCLAIMER: Information depicted hereon is for reference purposes only. It was compiled from the best available resources which have varying degrees of accuracy. This map is not a legally recorded map nor a survey and is not intended to be used as such. The Charter Township of Waterford assumes no responsibility for error that arise from this map.



PZ 20-11-04 Smith Rezoning Aerial Map



1:4,514



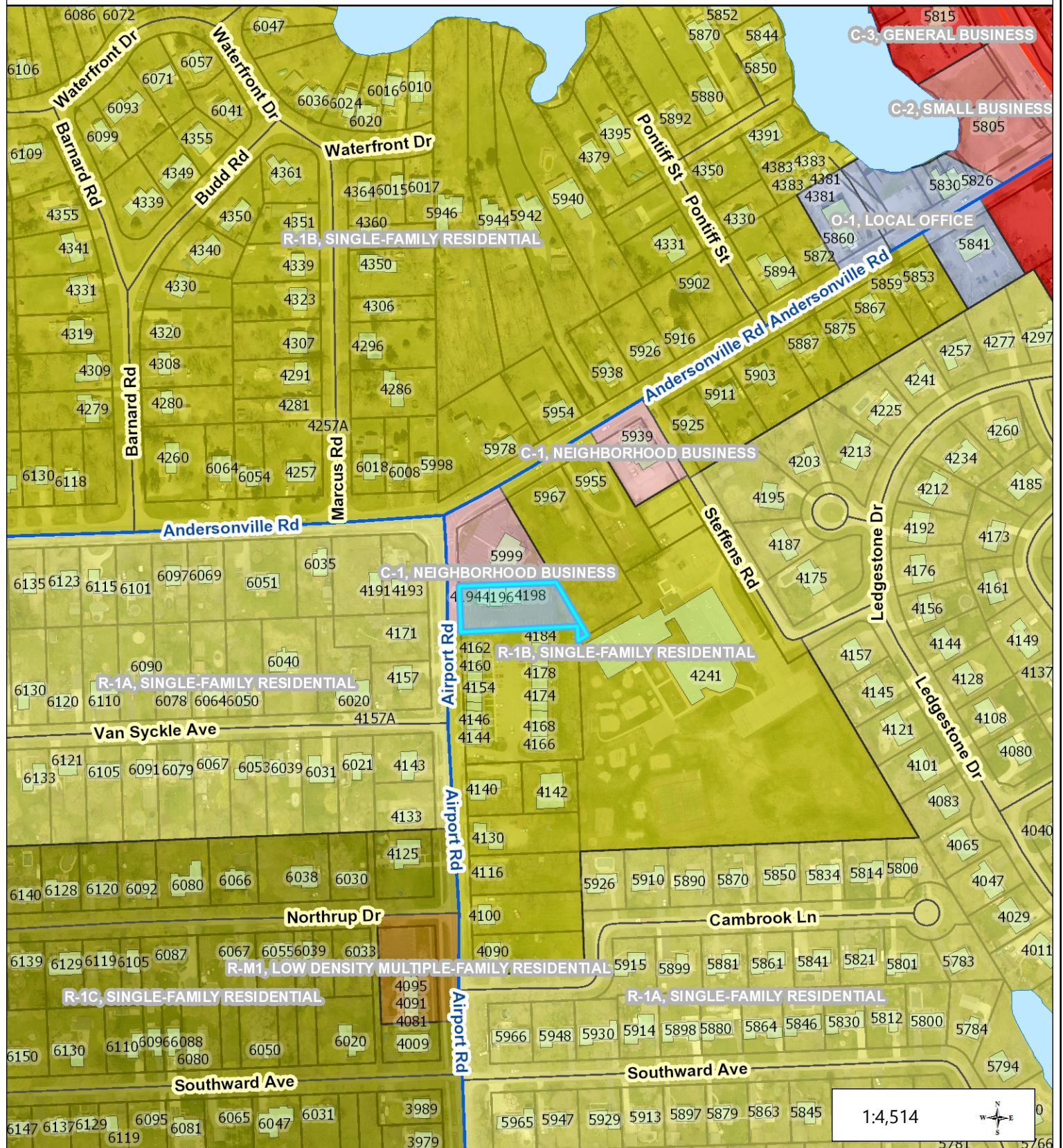
752.3 0 376.17 752.3 Feet

SOURCES: The Charters Township of Waterford and Oakland County, MI.
Oakland County parcel data, Updated weekly.

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PZ 20-11-04 Smith Rezoning Zoning Map



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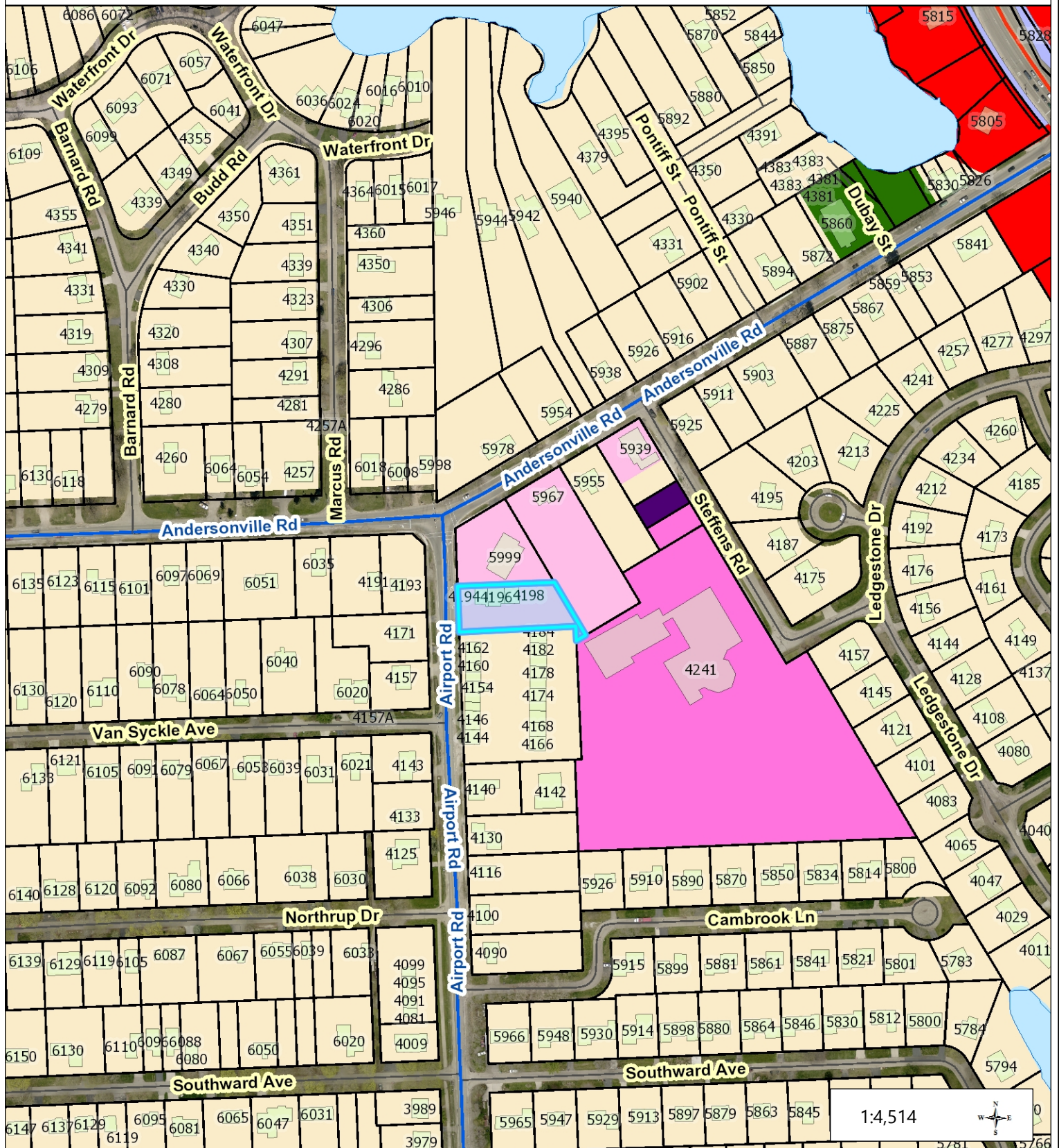
752.3 0 376.17 752.3 Feet

SOURCES: The Charters Township of Waterford and Oakland County, MI.
Oakland County parcel data, Updated weekly.

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PZ 20-11-04 Smith Rezoning Master Plan Map



752.3 0 376.17 752.3 Feet

SOURCES: The Charters Township of Waterford and Oakland County, MI.
Oakland County parcel data, Updated weekly.

DISCLAIMER: Information depicted hereon is for reference purposes only. It was compiled from the best available resources which have varying degrees of accuracy. This map is not a legally recorded map nor a survey and is not intended to be used as such. The Charter Township of Waterford assumes no responsibility for error that arise from this map.

(ARTICLE III, DIVISION 3-7 cont.)**SECTION 3-703. C-1, NEIGHBORHOOD BUSINESS DISTRICT**

The regulations in the subsections below shall apply to properties in the C-1 Neighborhood Business Zoning District:

1. **Purpose and Intent.** The C-1 zoning district is intended to implement the goals of the Local Business land use designation as described in Chapter 8 of the Waterford Township Master Plan-2003-2023 and identified on the Future Land Use Maps as well as implement Master Plan Goal Seven, *To Retain, Enhance, and Promote Waterford's Unique Character, Sense of Community, and Identity*, and Master Plan Objective 7-2, *Plan and Encourage Development of Neighborhood Nodes*, as described in Chapter 9 of the Master Plan by permitting business uses designed for the convenience of persons residing in adjacent residential neighborhoods, such as personal service and personal grooming establishments, shopfront retail uses, and neighborhood shopping centers that are designed in scale with the character of the surrounding residential neighborhood, do not generate large volumes of vehicular traffic, encourage pedestrian traffic, provide buildings in landscaped settings with off-street parking areas, operate only during generally accepted normal business hours, and promote the viability of neighborhood nodes. This zoning district is intended to limit the intensity of commercial development through the height and usable floor area restrictions specified within **Sections 3-900 and 3-901**. This zoning district shall be primarily located along minor arterial streets and collector streets near residential neighborhoods to ensure effective vehicular and pedestrian accessibility and minimize the impact of nonresidential uses on adjacent residential neighborhoods. The C-1 zoning district shall be coordinated and balanced with the O-1, Local Office District within neighborhood nodes to ensure complementary land uses and minimize the effect of competitive economic pressures, such as the location of the same permitted use on each of the four (4) corners of a neighborhood node that can jeopardize the viability of a neighborhood node.
2. **Conformance to Regulatory Standards.** All zoning lots, uses, buildings, and structures within this zoning district shall comply with **Sections 3-900 and 3-901** and the **Waterford Code of Ordinances, Buildings and Building Regulations, Fire Prevention and Protection, Flood Control and Environmental Protection, Health and Sanitation, and Water and Sewers**. In addition to all other plan review requirements applicable under this Zoning Ordinance, developments in this zoning district shall require approval through the applicable site plan review procedure in accordance with **Section 4-004**.
3. **Permitted Principal Uses.** The following uses shall be permitted as principal permitted uses in the C-1 district:
 - A. Convenience stores, limited merchandise stores, and specialty retail stores (*See Retail Establishments in Section 1-007*).
 - B. Animal grooming establishments, commercial school establishments, laundry establishments, media production establishments, media communications establishments, personal advice establishments, personal grooming establishments, personal improvement service establishments, and personal service establishments (*See Commercial Service Establishments in Section 1-007*).
 - C. Drop-off dry cleaning establishments (*See Dry-Cleaning Establishments in Section 1-007*).
 - D. Professional medical care offices (*See Medical Establishments in Section 1-007*).
 - E. Office establishments (*See Office Establishments in Section 1-007*).
 - F. Carryout restaurants and fast food/delicatessen/sandwich shop restaurants (*See Restaurant Establishments in Section 1-007*).
 - G. Entertainment rental establishments (*See Rental Establishments in Section 1-007*).
 - H. Fitness centers (*See Recreational Facilities in Section 1-007*).
 - I. Used book shops (*See Resale Establishments in Section 1-007*).
 - J. Neighborhood public utility facilities, public utility hardware, and area public utility facilities (*See Public Utility in Section 1-007*).
4. **Permitted Uses after Special Approval.** The following uses shall be permitted as special approval uses in the C-1 district,, subject to the review and approval of the use in accordance with **Section 4-006** and any conditions hereinafter imposed for each such use:
 - A. Outdoor dining patios (*See Structure in Section 1-007*) conducted in areas structurally attached to and/or located directly adjacent to or upon the principal building used for restaurant establishments. The Planning Commission shall review and may stipulate requirements for: reasonable restrictions on the hours of operations, additional screening and fencing, service area accessibility, waste material containers and disposal of waste materials, effective pedestrian circulation, seating capacity, additional required parking, and future review to ensure that such use does not violate the performance standards established in this Zoning Ordinance.
 - B. Regional public utility facilities (*See Public Utility in Section 1-007*), provided that any installations located closer than fifty (50) lineal feet from any adjacent residential dwelling shall be screened with landscaping materials as provided for in the SPL Manual and identified in a landscape plan reviewed and approved by the Zoning Official and Township Engineer, and such landscaping shall not negatively impact accessibility by utility maintenance crews.

(ARTICLE III, DIVISION 3-6 cont.)**SECTION 3-603. O-1, LOCAL OFFICE DISTRICT**

The regulations in the subsections below shall apply to properties in the O-1 Local Office Zoning District:

- 1. Purpose and Intent.** The O-1 zoning district is intended to implement the goals of the Office and Local Business land use designations as described in Chapter 8 of the Waterford Township Master Plan-2003-2023 and identified on the Future Land Use Maps as well as implement Master Plan Goal Seven, *To Retain, Enhance, and Promote Waterford's Unique Character, Sense of Community, and Identity*, and Master Plan Objective 7-2, *Plan and Encourage Development of Neighborhood Nodes*, as described in Chapter 9 of the Master Plan by permitting office and restricted business uses of a scope and capacity which are relatively compatible with the character of the surrounding neighborhood and do not generate large volumes of vehicular traffic, providing office buildings in landscaped settings with off-street parking areas, operating only during generally accepted normal business hours, and promoting the viability of neighborhood nodes. This zoning district is intended to limit the intensity of office development through the height and usable floor area restrictions specified within **Sections 3-900 and 3-901**. This zoning district shall be primarily located along minor arterial streets. This zoning district may be used as a transition zone between a major arterial street and existing single-family zoning districts to ensure effective vehicular and pedestrian accessibility and minimize the impact of nonresidential uses on adjacent residential neighborhoods. The O-1 zoning district shall be coordinated and balanced with the C-1, Neighborhood Business District within each of the Township's neighborhood nodes to ensure complementary land uses and minimize the effect of competitive economic pressures, such as the location of the same permitted use on each of the four (4) corners of a neighborhood node, that can jeopardize the viability of a neighborhood node.
- 2. Conformance to Regulatory Standards.** All zoning lots, uses, buildings, and structures within this zoning district shall comply with **Sections 3-900 and 3-901** and the **Waterford Code of Ordinances, Buildings and Building Regulations, Fire Prevention and Protection, Flood Control and Environmental Protection, Health and Sanitation, and Water and Sewers**. In addition to all other plan review requirements applicable under this Zoning Ordinance, developments in this zoning district shall require approval through the applicable site plan review procedure in accordance with **Section 4-004**.
- 3. Permitted Principal Uses.** The following uses shall be permitted as principal permitted uses in the O-1 district:
 - A. Office establishments (*See Office Establishments in Section 1-007*).
 - B. Professional medical care offices (*See Medical Establishments in Section 1-007*).
 - C. Personal advice and personal improvement service establishments (*See Commercial Service Establishments in Section 1-007*).
- 4. Permitted Uses after Special Approval.** The following uses shall be permitted as special approval uses in the O-1 district, subject to the review and approval of the use in accordance with **Section 4-006** and any conditions hereinafter imposed for each such use:
 - A. Child day care centers (*See Child Day Care Facilities in Section 1-007*).
 - B. Educational facilities (*See Educational Facilities in Section 1-007*).
 - C. Religious facilities (*See Religious Facilities in Section 1-007*).
 - D. Medical clinics (*See Medical Establishments in Section 1-007*).
 - E. Veterinary clinics (*See Veterinary Establishments in Section 1-007*). A veterinary clinic may include customary pens or cages which are permitted only within the clinic building limited to overnight observation and shall only be incidental to such clinic use.
 - F. Funeral home establishments (*See Funeral Home Establishments in Section 1-007*).
 - G. Institutional facilities (*See Institutional Facilities in Section 1-007*).
 - H. Substance abuse care centers that provide out-patient care only (*See Medical Establishments in Section 1-007*).
 - I. Fitness centers (*See Recreational Facilities in Section 1-007*).

CHARTER TOWNSHIP OF WATERFORD

APPLICATION FOR REZONING/TEXT AMENDMENT

Development Services Department
5200 Civic Center Drive
Waterford, MI 48329-3773
(248) 674-6250

Staff Use Only

Fee Paid _____
Case No. Assigned _____
Public Hearing Date _____

Applicant Name: Matthew Smith

Applicant Address: 573 Eastlake Trail Oxford MI 48371

Street Address

City

State

ZIP Code

Applicant Contact Information: 586-531-0130

Matt@mor-bid.com

Phone Number

Fax Number

Email Address

☐ Text Amendment

☒ Property Rezoning

Site Address/General Location: 4194, 4196, 4198 Airport Road Waterford, MI

Parcel ID No.: 1304151002 Total Site Acreage: .49 acres

Existing Zoning (check applicable district):

☐ R-1/1A/1B/1C ☐ R-1D ☐ R-1E ☐ R-M1 ☐ R-M2 ☐ PL ☐ CR ☐ O-1 ☐ O-2
☒ C-1 ☐ C-3 ☐ C-4 ☐ C-UL ☐ C-UB ☐ HT-1 ☐ HT-2 ☐ M-1 ☐ M-2

Proposed Zoning (check applicable district):

☐ R-1/1A/1B/1C ☐ R-1D ☐ R-1E ☐ R-M1 ☐ R-M2 ☐ PL ☐ CR ☒ O-1 ☐ O-2
☐ C-1 ☐ C-3 ☐ C-4 ☐ C-UL ☐ C-UB ☐ HT-1 ☐ HT-2 ☐ M-1 ☐ M-2

For Property Rezoning Requests, all persons having ownership interest in above-referenced property must sign this document to authorize the filing of the application. Ownership interest includes owners, all parties in land contracts, and all parties in purchase agreements. Additional signature pages may be attached for owners exceeding two in number.

NAME (Print)	ADDRESS	TYPE OF OWNERSHIP INTEREST	SIGNATURE
1. <u>Nancy Overfield</u>	<u>6575 Ridgewood</u>	<u>owner</u>	
2. <u>CHARLES OVERFIELD</u>	<u>6575 Ridgewood</u>	<u>owner</u>	

CERTIFICATION

I do hereby swear all of the statements, signatures, descriptions and exhibits herewith submitted are true and accurate to the best of my knowledge and that I am to file this application and act on behalf of the signatories of the above authorization.

NANCY OVERFIELD 6575 Ridgewood Rd. 5/11/46 0-161622061359
Name (Please Print) Address Telephone Contact Birth Date Drivers License #

Signature

Subscribed and sworn to before me this 20th day of November, 2020

Notary Public

State of Michigan

County of _____

My Commission Expires Dec 11, 2024

My Commission Expires in the County of Oakland

ELIZABETH A. SHEREN
Notary Public - State of Michigan
County of Oakland
My Commission Expires Dec 11, 2024

Charter Township of Waterford Planning Commission/Zoning Board of Appeals Consent to Property Inspection

Development Services Department
5200 Civic Center Drive
Waterford, MI 48329-3773
(248) 674-6250

I (WE), the undersigned have made application to the Charter Township of Waterford for land use matters to be considered and decisions made by the:

- ☐ Planning Commission
☒ Zoning Board of Appeals

that will affect use of our property identified below. In order to enable the members of such decision-making body to make an informed decision on our request, I (WE), do hereby consent to allow the members of the decision-making body to inspect the subject property up to the date of the meeting of the decision-making body at which such body issues its final decision on MY (OUR) request, provided that such inspections are limited to:

- gathering information specific to the requested action,
- typical hours of daily human activity, unless specified otherwise below, and
- the following restrictions:

4194, 4196, 4198 Airport Road Waterford, MI

Address of Subject Property

1304151002

Parcel I.D. Number(s)

NOTE: Any and all persons having ownership interest in the above described property MUST sign this application in the presence of a notary.

Subscribed and sworn to before me this twentieth

day of November, 2020

Elizabeth A Sheren
Notary Public

My commission expires: _____
State of Michigan, County of _____
My Commission Expires Dec 11, 2024
Acting in the County of Oakland

Property Owner: Nancy D. Bickel

Driver's License No.: 0161-622-067-359

Birth Date: 5-11-1946

Property Owner: Charles G. Gifford

Driver's License No.: 0-161-115-189-843

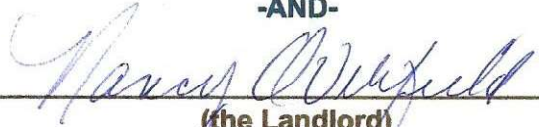
Birth Date: 11-02-1932

Additional signature pages may be attached for owners exceeding two in number.

THIS LETTER OF INTENT to lease made as of the 20th day of November, 2020,
BETWEEN:

Homeward Bound Shipping, LLC of 118 Indianwood, Suite A, Lake Orion, MI 48362
(The Tenant)

-AND-



(the Landlord)

BACKGROUND:

- A. The Landlord is the owner of commercial property that is available for lease.
- B. The Tenant wishes to lease commercial property from the Landlord, with the option to purchase within the first year of occupancy at the fair market value at the time of the agreement to purchase, less the equity realized from improvement made to the physical and real property by the tenant during the lease period.
- C. The tenant fully expects to purchase the property within the first year of the lease.

This Document will establish the basic terms to be used in a future lease agreement (the "Lease") between the Landlord and the Tenant. The terms contained in this document are not comprehensive and it is expected that additional terms may be added, and existing terms may be changed or detected. The basic terms are as follows:

Non-Binding

- 1. This Document does not create a binding agreement between the Landlord and the Tenant, will be enforceable. Only the future lease, duly executed by the Landlord and the Tenant, will be enforceable. The terms and conditions of any future Lease will supersede any terms and conditions contained in this Document. The Landlord and the Tenant are not prevented from entering into negotiations with third parties with regard to the subject matter of this Document.

Transaction Description

- 2. The commercial property that is the subject of this Document (Lease Agreement) is located at:
 - 4194-4198 Airport Road, Waterford, MI 48329

Rent and Term of Lease

3. The term of the tenancy will be periodic, starting at 12:00 noon on the 1st day of January, 2021 or after final approval from Waterford Township (whichever is later). And continuing on a year-to-year basis until terminated by either party (the "Term")
4. The rent will be \$2,000.00 USD payable monthly in advance, starting on the 1st day of January, 2021.

Terms and Conditions

5. The Tenant will pay the Landlord a security deposit in the sum \$3,000.00 USD, on or before the 1st day of January, 2021, or after final approval from Waterford Township (whichever is later), and subject to further conditions to be included in the Lease.
6. The Tenant accepts the Property in its current state and condition without any further work, repairs.
 - TBD after inspection


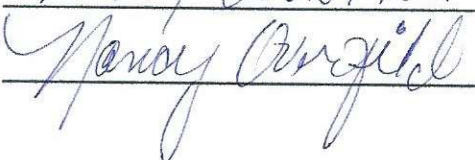
Additional Terms

7. Lessor will change from Homeward Bound Shipping, LLC to a new LLC once established between the active partners (Zachariah Lane, William Lane and Matthew Smith).
8. Tenant will make structural changes to the interior and/or exterior to accommodate business needs.

This document accurately reflects the understanding between the Landlord and the Tenant(s), signed on this day of November 20, 2020.

Per. 

Homeward Bound Shipping (Tenants)


 (Landlord)

HOMEWARD BOUND SHIPPING, LLC.

118 Indianwood Rd. | 866.699.7447 | matt@HomewardBoundShipping.com

11.20.2020

Waterford Township Zoning
Mr. Scott Alef
5200 Civic Center Drive
Waterford, MI 48329

Re: Rezoning C-1 to O-1 4194, 4196 & 4198 Airport Road, Waterford, MI 48329

Dear Waterford Township Zoning:

The purpose of this letter is to show our intentions to initiate the proposal of rezoning the property located at 4194, 4196 & 4198 Airport Road, Waterford, MI 48329. The current status of the property is VACANT and the proposed use of this property is a Funeral Home. More specifically, caring for those less fortunate families that cannot afford the expensive, "traditional" funeral but still would like to have a dignified service of their choice. Our intention, if granted the rezoning would be to clean up the property, give the building a new paint job and roof – a facelift so to speak. Serve the community in a dignified way, recognizing all faiths. We would maintain a quiet environment and a place for those mourning to come and remember their loved ones. We would have very little traffic and no noise. We would build and maintain professional relationships with local churches, clergy and medical facilities as well as hospice agencies. We would look to sponsor children's programs and local teams. We would want to give back to the community in a significant way. Allowing kiddo's the opportunity to participate in sports or other activities, where otherwise couldn't. As a father of 5 I understand the value of community involvement and as a professional funeral director of over 26 years, I have the knowledge and drive to make this project a success. Businesses are finding it very difficult to be successful these days. In light of the pandemic – many people are looking for alternative funeral options. Many will suffer the unexpected loss of their loved one to the virus and money is not readily available as it may have once been. Our business plan is designed to be a blessing to those in need.

Thank you for your consideration and review. IF you have any questions at all please do not hesitate contacting me directly on my cell phone. (586) 531-0130.

Sincerely,

Homeward Bound Shipping, LLC.

STATE OF MICHIGAN
COUNTY OF OAKLAND
ORDINANCE NO. 2020-Z-004

ZONING ORDINANCE MAP AMENDMENT

An ordinance to amend the Waterford Township Zoning Ordinance by rezoning a parcel of property and amending the Zoning Map.

THE CHARTER TOWNSHIP OF WATERFORD ORDAINS:

Section 1 of Ordinance

The parcel of property that is assigned tax parcel number 13-04-151-002, legally described below, with current addresses of 4194 Airport Road are rezoned from **C-1, Neighborhood Business to O-1, Local Office**, with the Zoning Map that is adopted by and made part of the Waterford Township Zoning Ordinance in Section 3-101, to be changed and amended to reflect this rezoning.

Section 2 of Ordinance

The effective date of this ordinance shall be on the 8th day after publication, or a later date as provided in the Michigan Zoning Enabling Act for when a petition for voter referendum on this Ordinance and/or a notice of intent to submit such a petition is timely filed with the Township Clerk.

CERTIFICATION

I certify that this Zoning Ordinance Map Amendment Ordinance was adopted by a majority vote of the members of the Board of Trustees of the charter Township of Waterford at a meeting duly called and held on _____.

CHARTER TOWNSHIP OF WATERFORD

Date

Kim Markee, Township Clerk

Property Descriptions

PARCEL 13-04-151-002

IS DESCRIBED AS

T3N, R9E, SEC 4 SUPERVISOR'S PLAT NO 19 LOT 6 EXC BEG AT SW LOT COR, TH N 01-46-30 W 249.58 FT, TH N 87-55-48 E 242.90 FT, TH S 02-10-30 E 249.58 FT, TH S 87-55-48 W 244.64 FT TO BEG, ALSO EXC BEG AT NW LOT COR, TH N 59-33-30 E 120.19 FT, TH S 30-16-40 E 202.14 FT, TH S 88-13-30 W 201.90 FT, TH N 01-46-30 W 120 FT TO BEG